

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
CREE, James W. et al.) Confirmation No.: 3997
Serial No.: 10/582,313) Examiner: Not Yet Assigned
I.A. Filing Date: 08 June 2006)
For: DIFFERENTIAL ENERGY COMPOSITES)
AND METHODS OF MANUFACTURING)
SAME

RENEWED PETITION UNDER 37 C.F.R. 1.47(a)
TO FIND AN INVENTOR UNCOOPERATIVE AND/OR UNAVAILABLE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

26 September 2007
Atlanta, Georgia 30308-2216

Sir:

Applicant petitions the Commissioner to find inventor Toni Rae Millikan to be uncooperative and/or unavailable in the prosecution of the above-identified application.

Applicant submits this petition under 37 C.F.R. 1.47(a) To Declare an Inventor Uncooperative and/or Unavailable.

Applicant James W. Cree petitions the Commissioner to accept the above-identified application without the executed declaration of inventor Toni Rae Millikan. Despite diligent efforts, Applicant, through his Representative/Agent, has been unsuccessful in obtaining the executed declaration of inventor Toni Rae Millikan at her last known address of 1848 Colt Drive, Atlanta, Georgia 30341. Attempts to obtain an executed declaration from this inventor have been to no avail.

As evidence of diligent efforts to obtain the executed declaration of Toni Rae Millikan, Applicant encloses a Declaration of Applicant's Representative/Agent, by Dean Y. Shahriari.

As further evidence of diligent efforts to obtain the executed declaration of Toni Rae Millikan, Applicant encloses a Declaration by Candice P. Dysart, (see Exhibit 2).

In support of the Declaration of Applicant's Representative/Agent, by Dean Y. Shahriari, Applicant encloses a letter dated 30 August 2007 to Toni Rae Millikan (Exhibit 3); a second letter dated 12 September 2007 to Toni Rae Millikan (Exhibit 4); Federal Express delivery

tracking information for the letter dated 12 September 2007 to Toni Rae Millikan (Exhibit 5); and a result from a Lexis EZFIND Combined Person Locator Nationwide Search Results (Exhibit 6).

No fees associated with this Petition are believed due. If any additional fee is due, however, please charge any underpayment or credit any overpayment to Deposit Account No. 20-1507.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'D. Shahriari', written over a horizontal line.

Dean Y. Shahriari

Registration No. 56,783

TROUTMAN SANDERS LLP
Bank of America Plaza
600 Peachtree Street, N.E. Suite 5200
Atlanta, Georgia 30308-2216
(404) 885-3943
(404) 962-6881

Attachments

- Exhibit 1: Declaration of Applicant's Representative/Agent, Dean Y. Shahriari
- Exhibit 2: Declaration of Candice P. Dysart
- Exhibit 3: Letter dated 30 August 2007 to Toni Rae Millikan
- Exhibit 4: Letter dated 12 September 2007 to Toni Rae Millikan
- Exhibit 5: Federal Express Tracking Information
- Exhibit 6: Lexis EZFIND Combined Person Locator Nationwide Search Results

Exhibit 1

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
CREE, James W. et al.)	Confirmation No.: 3997
Serial No.: 10/582,313)	Examiner: Not Yet Assigned
I.A. Filing Date: 08 June 2006)	
For: DIFFERENTIAL ENERGY COMPOSITES)		
AND METHODS OF MANUFACTURING)		
SAME		

DECLARATION OF APPLICANT'S REPRESENTATIVE/AGENT
IN SUPPORT OF PETITION UNDER 37 C.F.R. 1.47(a)

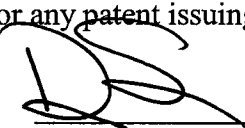
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

26 September 2007
Atlanta, Georgia 30308-2216

Sir:

1. I, Dean Y. Shahriari, am a patent agent at Troutman Sanders LLP and am authorized to act on behalf of Tredegar Film Products.
2. The above-identified patent application entitled, "Differential Energy Composites and Methods of Manufacturing Same", was filed on 8 June 2006. The application names James W. Cree and Toni Rae Millikan as inventors.
3. I sent a package containing the application as well as the combined declaration and power of attorney document, and a letter explaining the contents of the package, to Toni Rae Millikan by Federal Express to the last known address for Toni Rae Millikan, 1848 Colt Drive, Atlanta, Georgia 30341 on 30 August 2007. A copy of the letter is attached as Exhibit 3.
4. I sent a second package containing the application as well as the combined declaration and power of attorney document, and a letter explaining the contents of the package, to Toni Rae Millikan by Federal Express to the last known address for Toni Rae Millikan, 1848 Colt Drive, Atlanta, Georgia 30341 on 12 September 2007. A copy of the letter is attached as Exhibit 4.

5. The second package was mailed with the requirement that a direct signature be obtained in exchange for delivery. I understand that delivery of the second package was attempted on 13 September 2007 and 14 September 2007 without success, as no one was present at the above address to sign for the package. I understand that delivery was made on 15 September 2007, but without obtaining a signature, as, once again, no one was present at the above address to sign for the package. A copy of the Federal Express tracking information showing each attempted delivery of the package are provided as Exhibit 5.
6. On 25 September 2007, I called (770) 559-1995, the last known telephone number for Toni Rae Millikan regarding the status of the combined declaration and power of attorney document. No message was left because this telephone number is no longer in service.
7. I conducted a search using Lexis' EZFIND Combined Person Locator, using a nationwide database and then a Georgia database. The most recent results of this search, which are provided as Exhibit 6, indicate that the address for Toni Rae Millikan, at least as of 22 February 2007, was indeed 1848 Colt Drive, Atlanta, Georgia 30341. On 26 September 2007, I called the telephone number provided (i.e., 292-5954) using each of the known area codes for the metropolitan Atlanta area. I was able to speak to a woman at (404) 292-5954, who stated that Toni Rae Millikan was at one time married to her grandson. This woman stated that she did not have any contact information for Toni Rae Millikan other than the above address and (770) 559-1995 telephone number.
8. I have not received a package or any other form of communication from Toni Rae Millikan.
9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing therein.



Dean Y. Shahriari
Registration No. 56,783

Exhibit 2

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
CREE, James W. et al.)	Confirmation No.: 3997
Serial No.: 10/582,313)	Examiner: Not Yet Assigned
I.A. Filing Date: 08 June 2006)	
For: DIFFERENTIAL ENERGY COMPOSITES)		
AND METHODS OF MANUFACTURING)		
SAME		

DECLARATION IN SUPPORT OF PETITION UNDER 37 C.F.R. 1.47(a)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

26 September 2007
Atlanta, Georgia 30308-2216

Sir:

1. I, Candice P. Dysart, am a patent paralegal at Troutman Sanders LLP.
2. The above-identified patent application entitled, "Differential Energy Composites and Methods of Manufacturing Same", was filed on 8 June 2006. The application names James W. Cree and Toni Rae Millikan as inventors.
3. At the request, and under the instruction, of Dean Y. Shahriari, I sent a package containing the combined declaration and power of attorney document, and a letter explaining the contents of the package, to Toni Rae Millikan by Federal Express to the last known address for Toni Rae Millikan, 1848 Colt Drive, Atlanta, Georgia 30341 on 5 April 2007.
4. The package was delivered on 6 April 2007 to the above address.
5. At the request, and under the instruction, of Dean Y. Shahriari, I left telephone messages on 27 April 2007, 14 May 2007, and 16 May 2007, at (770) 559-1995, which was a working telephone number on each of the listed dates, for Toni Rae Millikan regarding the status of the combined declaration and power of attorney document.
6. I have not received a package or any other form of communication from Toni Rae Millikan.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing therein.

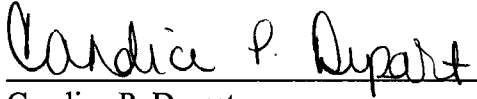

Candice P. Dysart

Exhibit 3

TROUTMAN SANDERS LLP

A T T O R N E Y S A T L A W
A LIMITED LIABILITY PARTNERSHIP

BANK OF AMERICA PLAZA
600 PEACHTREE STREET, N.E. - SUITE 5200
ATLANTA, GEORGIA 30308-2216
www.troutmansanders.com
TELEPHONE: 404-885-3000
FACSIMILE: 404-885-3900

Dean Y. Shahriari, Ph.D.
dean.shahriari@troutmansanders.com

Direct Dial: 404-885-3943
Direct Fax: 404-962-6884

August 30, 2007

Via Federal Express

Toni Rae Millikan
1848 Colt Drive
Atlanta, Georgia 30341

**Re: U.S. Patent Application
DIFFERENTIAL ENERGY COMPOSITES AND METHODS OF
MANUFACTURING SAME
Serial No.: 10/582,313
Filing Date: June 8, 2006
Our Ref. No.: TRED54**

Dear Ms. Millikan:

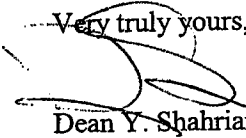
We received a *Notice of Missing Requirements* for which a response was due **April 16, 2007**. In order to respond to the *Notice*, we were required to submit a *Declaration and Power of Attorney*, which was executed (i.e., signed and dated) by the inventors of the *Application*.

We previously sent you, as an inventor, the document to execute, but you did respond to our request.

At this time, we are re-sending a copy of the *Declaration and Power of Attorney*, as well as a copy of the *Application* for your records. We ask, once again, that you sign and date the necessary documents at your earliest possible convenience. Once the document has been executed, please fax them to my attention (my contact info is listed above). Subsequently, please mail the originally signed documents to my attention at the address shown above.

Should you have questions, please do not hesitate to contact us.

Very truly yours,


Dean Y. Shahriari, Ph.D.

Enclosure

DYS/cpd

cc: Joseph Tessari, Esq.
Bernie Pike, Esq.
Candy Dysart, Paralegal

ATLANTA • HONG KONG • LONDON • NEW YORK • NEWARK • NORFOLK • RALEIGH
RICHMOND • SHANGHAI • TYSONS CORNER • VIRGINIA BEACH • WASHINGTON, D.C.

Exhibit 4

TROUTMAN SANDERS LLP

A T T O R N E Y S A T L A W
A LIMITED LIABILITY PARTNERSHIP

BANK OF AMERICA PLAZA
600 PEACHTREE STREET, N.E. - SUITE 5200
ATLANTA, GEORGIA 30308-2216
www.troutmansanders.com
TELEPHONE: 404-885-3000
FACSIMILE: 404-885-3900

Dean Y. Shahriari, Ph.D.
dean.shahriari@troutmansanders.com

Direct Dial: 404-885-3943
Direct Fax: 404-962-6884

September 12, 2007

Via Federal Express

Toni Rae Millikan
1848 Colt Drive
Atlanta, Georgia 30341

**Re: U.S. Patent Application
DIFFERENTIAL ENERGY COMPOSITES AND METHODS OF
MANUFACTURING SAME
Serial No.: 10/582,313
Filing Date: June 8, 2006
Our Ref. No.: TRED54**

Dear Ms. Millikan:

We received a *Notice of Missing Requirements* for which a response was due **April 16, 2007**. In order to respond to the *Notice*, we were required to submit a *Declaration and Power of Attorney*, which was executed (i.e., signed and dated) by the inventors of the *Application*.

We have twice previously sent you, as an inventor, the document to execute, but you did respond to our request.

At this time, we are re-sending a copy of the *Declaration and Power of Attorney*, as well as a copy of the *Application* for your records. We ask, once again, that you sign and date the necessary documents at your earliest possible convenience. Once the document has been executed, please fax them to my attention (my contact info is listed above). Subsequently, please mail the originally signed documents to my attention at the address shown above.

Should you have questions, please do not hesitate to contact us.

Very truly yours,


Dean Y. Shahriari, Ph.D.

Enclosure

DYS/cpd

cc: Joseph Tessari, Esq.
Bernie Pike, Esq.
Candy Dysart, Paralegal

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RICHMOND • SHANGHAI • TYSONS CORNER • VIRGINIA BEACH • WASHINGTON, D.C.

Exhibit 5

Dorga, Pearl C.

From: TrackingUpdates@fedex.com
Sent: Wednesday, September 12, 2007 12:26 PM
To: Dorga, Pearl C.
Subject: FedEx Shipment Notification

This tracking update has been requested by:

Company Name: Troutman Sanders LLP

Name: Pearl Dorga

E-mail: pearl.dorga@troutmansanders.com

Pearl Dorga of Troutman Sanders LLP sent Toni Rae Millikan 1
FedEx Priority Overnight package(s).

This shipment is scheduled to be sent on 09/12/2007.

Reference information includes:

Invoice number:	041668.000001
Reference:	Client

The tracking number(s) is (are)
790334797510

To track the latest status of your shipment, click on the tracking number above,
or visit us at fedex.com.

To learn more about FedEx Express, please visit our website at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the
Requestor noted above. FedEx does not validate the authenticity of the
requestor and does not validate, guarantee or warrant the authenticity of the
request, the requestor's message, or the accuracy of this tracking update. For
tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.

9/26/2007

Dorga, Pearl C.

From: TrackingUpdates@fedex.com
Sent: Thursday, September 13, 2007 2:04 PM
To: Dorga, Pearl C.
Subject: FedEx Delivery Exception

This tracking update has been requested by:

Company Name: Troutman Sanders LLP

Name: Pearl Dorga

E-mail: pearl.dorga@troutmansanders.com

FedEx attempted, but was unable to complete delivery of the following shipment:

Tracking number:	799713507995
Door Tag number:	DT101339129904
Invoice number:	041668.000001
Reference:	Client
Ship (P/U) date:	Sep 12, 2007
Estimated delivery:	Sep 14, 2007
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.

Special handling/Services

Deliver Weekday

Residential Delivery

Direct Signature Required

Reason Delivery Not Completed

1. Customer not Available or
Business Closed

Recommended Action

Delivery will be re-attempted the next
business day. Contact us to discuss possible
delivery or pickup alternatives.

9/26/2007

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 1:03 PM CDT on 09/13/2007.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

Estimated Delivery displayed above is not valid for Money-Back Guarantee or delay claim purposes. Shipments delayed because of Customs or other regulatory delays are not subject to refund or credit under FedEx Money-Back Guarantee Policy. Please see FedEx Service Guide for terms and conditions of service, including FedEx Money-Back Guarantee. For more information, please contact your FedEx Customer Support representative.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.

9/26/2007

Dorga, Pearl C.

From: TrackingUpdates@fedex.com
Sent: Friday, September 14, 2007 11:53 AM
To: Dorga, Pearl C.
Subject: FedEx Delivery Exception

This tracking update has been requested by:

Company Name: Troutman Sanders LLP

Name: Pearl Dorga

E-mail: pearl.dorga@troutmansanders.com

FedEx attempted, but was unable to complete delivery of the following shipment:

Tracking number:	<u>799713507995</u>
Door Tag number:	DT101339129904
Invoice number:	041668.000001
Reference:	Client
Ship (P/U) date:	Sep 12, 2007
Estimated delivery:	Sep 17, 2007
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.

Special handling/Services

Deliver Weekday

Residential Delivery

Direct Signature Required

Reason Delivery Not Completed

1. Customer not Available or
Business Closed

Recommended Action

Delivery will be re-attempted the next
business day. Contact us to discuss possible
delivery or pickup alternatives.

9/26/2007

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 10:52 AM CDT on 09/14/2007.

To learn more about FedEx Express, please visit our website at fedex.com.

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Estimated Delivery displayed above is not valid for Money-Back Guarantee or delay claim purposes. Shipments delayed because of Customs or other regulatory delays are not subject to refund or credit under FedEx Money-Back Guarantee Policy. Please see FedEx Service Guide for terms and conditions of service, including FedEx Money-Back Guarantee. For more information, please contact your FedEx Customer Support representative.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.

9/26/2007

Dorga, Pearl C.

From: TrackingUpdates@fedex.com
Sent: Saturday, September 15, 2007 9:49 AM
To: Dorga, Pearl C.
Subject: FedEx Shipment 799713507995 Delivered

This tracking update has been requested by:

Company Name: Troutman Sanders LLP

Name: Pearl Dorga

E-mail: pearl.dorga@troutmansanders.com

Our records indicate that the following shipment has been delivered:

Tracking number:	799713507995
Door Tag number:	DT101339129904
Invoice number:	041668.000001
Reference:	Client
Ship (P/U) date:	Sep 12, 2007
Delivery date:	Sep 15, 2007 9:43 AM
Sign for by:	Signature Release on file
Delivered to:	Residence
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.

Shipper Information	Recipient Information
Pearl Dorga	Toni Rae Millikan
Troutman Sanders LLP	1848 Colt Drive
600 Peachtree St., N.E., Suite 5200	Atlanta
Atlanta	GA
GA	US
US	30341
30308	

Special handling/Services:
Deliver Weekday
Residential Delivery
Direct Signature Required

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 8:48 AM CDT on 09/15/2007.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the

9/26/2007

request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.

Exhibit 6

FOCUS - 5 of 10 DOCUMENTS

THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY

PERSON LOCATOR - P-TRAK

Name: MILLIKAN, TONI RAEA

Also Known As:

MILLIKAN, TONI R; MILLIKAN, TONI

Social Security Number: 252-43-XXXX

Address:

1848 COLT DR
ATLANTA, GA 30341-1431
Address Updated: 11/1/2004

Previous Addresses:

4000 OAK FOREST CIR
MARIETTA, GA 30062-5253
Address Updated: 1/1/2003

300 HOME PARK AVE APT. 1108
ATLANTA, GA 30318-5389
Address Updated: 8/1/2000

1150 COLLIER RD APT. B4
ATLANTA, GA 30318-2927
Address Updated: 5/1/2000

On File Since: 6/1/2000

FOCUS - 6 of 10 DOCUMENTS

THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY

PERSON LOCATOR - P-TRAK

Name: MILLIKAN, TONI RAE

Also Known As:
MILLIKAN, TONI

Address:
1848 COLT DR
ATLANTA, GA 30341-1431
Address Updated: 2/22/2007

Previous Addresses:
4020 TROUPE SMITH RD
CONYERS, GA 30094-4006
Address Updated: 5/1/2000

Telephone: 292-5954

On File Since: 6/1/2000